

Paper No. 3
and

Practitioner's Docket No. UM-939
PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: August 4, 1999
Assistant Commissioner for Patents
Washington, D.C. 20231

REISSUE APPLICATION TRANSMITTAL

Transmitted herewith is the application for reissue of U.S.

☒ Utility Patent ☐ Plant Patent ☐ Design Patent
No. 5,656,186 issued on August 12, 1997

Inventor(s): Mourou et al.

Title: Method for Controlling Configuration of Laser
Induced Breakdown and Ablation
Enclosed are the following:

1. Specification, claim(s) and drawing(s): (37 C.F.R. § 1.173)

- (a) ☒ 15 total pages of cut-up patent including
11 pages of specification
☒ 6 page(s) of claims
☒ 1 page(s) of abstract

NOTE: This must include the entire specification and claims of the patent, with the matter to be omitted by reissue enclosed in square brackets. Any additions made by the reissue must be underlined, so that the old and new specifications and claims may be readily compared. Claims should not be renumbered. The numbering of claims added by reissue should follow the number of the highest numbered patent claim. No new matter shall be introduced into the specification. (37 C.F.R. § 1.173).

CERTIFICATION UNDER 37 C.F.R. § 1.10*
(Express Mail label number is mandatory.)
(Express Mail certification is optional.)

EL181400750US

I hereby certify that this Reissue Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date August 4, 1999 in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL181400750US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Joan B. Farragher

(type or print name of person mailing paper)

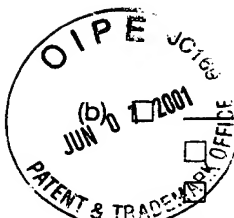
Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Reissue Application Transmittal [17-1]—page 1 of 6)



(b) ☒ 2001 _____ sheet(s) of drawing (drawings amended)

☐ Formal
☒ Informal

NOTE: "Amendments which can be made in a reissue drawing, that is, changes from the drawing of the patent, are restricted." 37 C.F.R. § 1.174(b).

☒ No changes in the drawings, upon which the original patent was issued, are to be made. Therefore, in accordance with 37 C.F.R. § 1.174(a), please find attached, in the size required for original drawings:

- ☒ a copy of the printed drawings of the patent.
- ☐ a photoprint of the original drawings.
- ☐ A letter requesting transfer of the drawings from the original patent file to this reissue application is attached.

2. Declaration and power of attorney

☒ 4 pages of declaration and power of attorney (9 separate documents)

3. Preliminary amendment

(check, if applicable)

☐ Attached

4. Offer to surrender the original letters patent in accordance with 37 C.F.R. § 1.178 is attached.

- ☐ Offer to surrender is by the inventor
- ☐ along with assent of assignee.

☒ Offer to surrender is by the assignee of the entire interest (and the reissue application does not seek to enlarge the claims of the original patent).

5. Letters patent

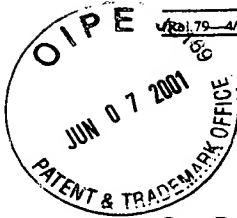
- ☐ Original letters patent are attached.
- ☐ Declaration that original letters patent lost or inaccessible is attached.
- ☐ A copy of the original printed patent is attached.

NOTE: "The application may be accepted for examination in the absence of the original patent or the declaration but one or the other must be supplied before the case is allowed." 37 C.F.R. § 1.178.

NOTE: "Where the original patent grant is not submitted with the reissue application as filed, patentee should include a copy of the printed original patent. Presence of a copy of the original patent is useful for the calculation of the reissue filing fee and for the verification of other identifying data." M.P.E.P., § 1416, 7th ed.

NOTE: "If a reissue be refused, the original patent will be returned to applicant upon his request." 37 C.F.R. § 1.178.

(Reissue Application Transmittal [17-1]—page 2 of 6)

**6. Petition to proceed without assignee's assent**

- ☐ Attached hereto is a "PETITION TO PROCEED WITH REISSUE APPLICATION WITHOUT ASSIGNEE'S ASSENT".

A. ☐ The fee payment is authorized in the attached:

- ☐ "REISSUE APPLICATION TRANSMITTAL" Form
☐ "COMPLETION OF FILING REQUIREMENTS — REISSUE APPLICATION" Form.

B. ☐ Payment is authorized below.

7. Information Disclosure Statement

- ☐ Attached
☐ Copies of the IDS citation(s) is/are attached.

8. Priority—35 U.S.C. § 119

- ☐ Priority of application Application No. 0 / _____, filed on _____, in _____ is claimed under 35 U.S.C. § 119.
Country

- ☐ The certified copy has been filed in prior application Application No. 0 / _____ filed on _____

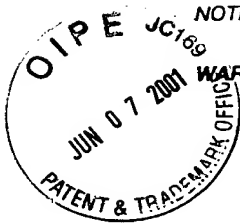
9. Basic Filing Fee Calculation (37 C.F.R. § 1.16(h), (i) and (j))

CLAIMS AS FILED			
Number Filed	Number Extra	Rate	Basic Fee (37 C.F.R. 1.16(h)) \$760.00
Total Claims 45 (37 C.F.R. § 1.16(j))	— 20 (and also in excess of total claims in patent)	25 X \$18.00	450.00
Independent Claims 7 37 C.F.R. § 1.16(i))	— (number of independent claims in patent)	4 X \$78.00	312.00
Filing fee Calculation			\$ 1,522.00

NOTE: Multiple dependent claims are treated as ordinary claims for fee purposes. 37 C.F.R. § 1.16(j).

(Reissue Application Transmittal [17-1]—page 3 of 6)

10. Small Entity Status (if applicable)



NOTE: A new statement is required for the reissue, even if one has been filed in the original patent. 37 C.F.R. § 1.27(a).

WARNING: "Small entity status must not be established when the person or persons signing the . . . statement can *unequivocally* make the required self-certification." M.P.E.P. § 509.03, 6th ed., rev. 2, July 1996 (emphasis added).

- ☐ A statement that this filing is by a small entity is
☐ attached.

Filing Fee Calculation (50% of above) \$ _____

NOTE: If a statement is filed within 2 months of the date of timely payment of a fee, then the excess fee paid will be refunded on request. 37 C.F.R. § 1.28(a). Effective April 1, 1984.

11. Additional Fee Payments

- ☐ Payment is being made for "PETITION TO PROCEED WITH REISSUE APPLICATION WITHOUT ASSIGNEE"
(37 C.F.R. § 1.17(h)) \$130.00

12. Total Fees Due

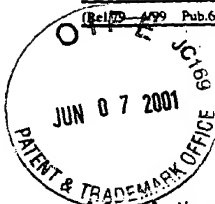
Filing Fee	\$ <u>1,522.00</u>
Petition fee	\$ _____
Total Fees Due	\$ <u>1,522.00</u>

13. Method Of Payment of Fees

- ☒ Enclosed is a check in the amount of \$ 1,522.00
☐ Charge Account No. _____ in the amount of \$ _____
A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).

(Reissue Application Transmittal [17-1]—page 4 of 6)

**14. Authorization To Charge Additional Fees**

WARNING: If no fees are to be paid on filing, the following items should not be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 25-0115 :

☒ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

☒ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☒ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☒ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).

☒ 37 C.F.R. § 1.17 (application processing fees)

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).

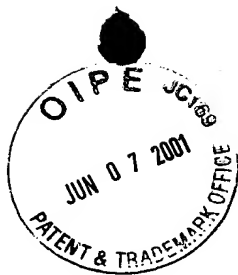
NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: See 37 C.F.R. § 1.28.

15. ☐ Additional Enclosures



Reg. No.: 37,089

Tel. No.: (248) 649-3333

Customer No.:

SIGNATURE OF PRACTITIONER

Thomas E. Berlin
(type or print name of practitioner)

3001 West Big Beaver Road, #624
P.O. Address

Troy, Michigan 48084-3107

(Reissue Application Transmittal [17-1]—page 6 of 6)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gerard A. Mourou et al.
Reissue Application of: 5,656,186
Serial Number: 09/775,069
Filing Date: February 1, 2001
Examiner/Art Group Unit: Evans, G./1725
Title: METHOD FOR CONTROLLING CONFIGURATION OF
LASER INDUCED BREAKDOWN AND ABLATION

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING
DATE GRANTED, COMMUNICATION SUBMITTING PREVIOUSLY FILED
DECLARATION AND SUPPORTING DOCUMENTS**

Box MISSING PARTS
Assistant Commissioner of Patents
Washington, D.C. 20231

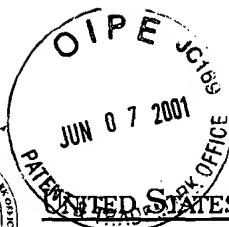
Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted dated February 1, 2001, enclosed please find a copy of the Declaration that was filed originally with the above-identified patent application on August 4, 1999 and a copy of the return postcard showing receipt of the patent application and the Declaration by the United States Patent and Trademark Office on August 4, 1999, as well as a copy of the Transmittal Letter showing enclosure of the Declaration.

The claims presented in the instant divisional reissue application correspond to the claims as originally filed in the parent reissue application. As such, the oaths previously filed apply. if there are any other questions regarding this matter, please feel free to contact the Applicant's attorney at the telephone number listed below.

Applicants have enclosed the \$65 charge associated with the Notice to File Missing Parts. applicants request this amount be credited to its account #25-0115.

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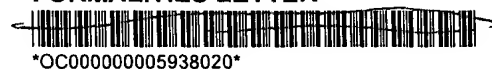
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/775,069	02/01/2001	Gerard A. Mourou	UMJ-939-R

CONFIRMATION NO. 1906

FORMALITIES LETTER



OC000000005938020

Attn Thomas E Bejin
Young & Basile PC
3001 West Big Beaver Road
Suite 624
Troy, MI 48084-3107

Date Mailed: 04/05/2001

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

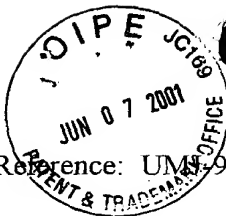
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/08/2001 SHINASS1 00000049 09775069

01 FC:205

65.00 0P



Our Reference: UMS-939-D

H-A

3 SECTOR
V\$
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gerard A. Mourou et al.
Reissue Application of: 5,656,186
Serial Number: 09/775,069
Filing Date: February 1, 2001
Examiner/Art Group Unit: Evans, G./1725
Title: METHOD FOR CONTROLLING CONFIGURATION OF
LASER INDUCED BREAKDOWN AND ABLATION

CERTIFICATE OF MAILING AND TRANSMITTAL LETTER

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

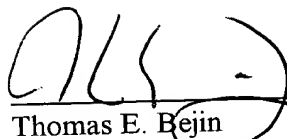
Transmitted with this document is a Postcard; Response to Notice to File Missing Parts of Application - Filing Date Granted, Communication Being Submitted Previously Filed Declaration and Supporting Documents; copy of Notice to File Missing Parts of Reissue Application; copy of return postcard showing receipt of the patent application and the Declarations by the USPTO; copy of Transmittal Letter showing enclosure of the Declaration; Consent of Assignee and nine (9) executed Broadening Reissue Application Oath and Power of Attorney By Inventors, in the above-identified application.

X A check in the amount of \$65.00.

X Please charge any deficiency or credit any excess in the enclosed fees to Deposit Account Number 25-0115.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on **June 4, 2001**




Thomas E. Bejin
Attorney for Applicants
Registration No. 37,089
(248) 649-3333

YOUNG & BASILE, P.C.
3001 West Big Beaver Rd., Suite 624
Troy, MI 48084-3107
TEB/jds



Our Reference: UM-939

Description of Papers:

- [X] Reissue Application Transmittal Letter;
- [X] 15 total pages of cut-up patent including 11 pages of specification; 1 page Abstract;
- [X] 6 pages of claims (as amended);
- [X] 10 sheets drawings (copy of drawings in issued patent);
- [X] Broadening Reissue Application Oath and Power of Attorney by Inventors (9 separate documents);
- [X] Consent of Assignee
- [X] Reissue Application by Assignee, Offer to Surrender
- [X] Check in the amount of \$1,522.00;

Applicants: Mourou et al.

Date Mailed: August 4, 1999

U.S. Express Mail Label No: EL181400750US

**PLEASE STAMP WITH SERIAL NUMBER AND FILING
DATE AND RETURN.** TEB:LMD

jc617 U.S. PTO

09/366685

